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June 15, 2016

BY ECF

Honorable Judge Carol B. Amon
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Edgar D. Telesford v. New York City Department of Education*
Docket No. 16 Civ. 819(CBA)(SMG)

Dear Judge Amon:

I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, attorney for defendant New York City Department of Education (“BOE” or “Defendant”) in the above-referenced action. Plaintiff, a former probationary teacher, commenced this action, *pro se*, pursuant to Title VII, the ADEA, and the ADA, alleging that the BOE discriminated against him based on race (black), age, and disability (broken leg as a result of injury from tug of war game at BOE field trip) when his probationary employment was discontinued.

Pursuant to your Honor’s Individual Rules and Practices section 3.D.1, on May 24, 2016, Defendant filed the cover letter served upon Plaintiff notifying him of Defendant’s Motion to Dismiss the Complaint, and providing him with a copy of Defendant’s motion. (See ECF Dkt. No. 10). In the Notice of Motion, Defendant set forth the following briefing schedule: Plaintiff’s Opposition to Defendant’s Motion due June 7, 2016; Defendant’s Reply due June 14, 2016. As of the filing of this letter, Defendant has received no opposition to its Motion to Dismiss.

Accordingly, since Defendant has received no opposition to its Motion to Dismiss, nor any indication that Plaintiff wishes to oppose Defendant’s motion, Defendant respectfully requests permission to file its Motion to Dismiss unopposed.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ Scott C. Silverman

Scott C. Silverman

Assistant Corporation Counsel

cc: Edgar D. Telesford (by first class mail)
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